



David G. O'Neil
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October 11, 2012

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

**Re: Free Life Ministries, Inc.
WHFL-CD, Goldsboro, North Carolina
Facility Id. No. 22485
Financial Hardship Waiver Request**

Dear Ms. Dortch:

Free Life Ministries, Inc., the licensee of WHFL-CD and by its counsel, hereby files this "Request for Waiver Due to Financial Hardship" of the Commission's Report and Order in *Implementation of the Commercial Advertisement Loudness Mitigation (CALM) Act*, 26 FCC Rcd 17222 (2011).

Please contact the undersigned directly if there are any questions concerning this matter.

Respectfully submitted,



David G. O'Neil

DGO:do
Enclosures

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of)
Implementation of the Commercial) MB Docket No. 11-93
Advertisement Loudness Mitigation)
(CALM) Act)
)

To: The Secretary
For: The Chief, Media Bureau
Filed via EFCS under Docket No. 11-93

REQUEST FOR WAIVER DUE TO FINANCIAL HARDSHIP

Free Life Ministries, Inc. ("Free Life"), the licensee of Station WHFL-CD, Goldsboro, North Carolina, hereby requests a waiver of the effective date of the Commission's Rules implementing the Commercial Advertisement Loudness Mitigation Act ("CALM Act") pursuant to Paragraphs 52 and 53 of the *Implementation of the Commercial Advertisement Loudness Mitigation (CALM) Act*, 26 FCC Red 17222 (2011) ("Calm Rules"). Free Life hereby certifies that it is in need of the one year delay in its required compliance with the CALM Act and the CALM Rules and seeks such relief pursuant to the streamlined rules adopted by the Commission. In support thereof, the following is respectfully submitted:

A small station may seek waiver of the Calm Rules by certifying to the Commission that it: (1) meets the Commission definition of small for this purpose and (2) needs a delay of one year to obtain specified equipment in order to avoid the financial hardship that would be imposed if it were required to obtain the equipment sooner. The Commission defines a "small station" as either a station with no more than \$14.0 million in annual receipts or that is located in television markets 150 to 210.

Free Life submits that it meets the standard for being considered a small broadcast station under the Calm Rules. Free Life is an independent television station that broadcasts religious

and community-oriented programming to its local viewers in Goldsboro, North Carolina. During the calendar year 2011, Free Life had less than \$14 million in annual receipts. Free Life anticipates that it will have less than \$14 million in annual receipts for both the 2012 and 2013 calendar years.


Free Life also submits that it needs a one-year delay in obtaining equipment in order to avoid the financial hardship that would be imposed were it required to obtain the equipment by the December 13, 2012 effective date of the Calm Rules. Attached hereto as Exhibit 1 is an estimated provided by SCMS, Inc. of the equipment WHFL-CD requires in order to comply with the Calm Rules. The acquisition of this equipment constitutes a financial hardship given the annual gross revenues and expenses associated with operation of WHFL-CD. A one year delay in Free Life having to acquire this equipment represents a meaningful limitation on the financial hardship that the CALM Act imposes on the station.

Consequently, WHFL is entitled to a financial hardship waiver permitting it to receive a one year delay in its CALM ACT and Calm Rules compliance.

The undersigned certifies under the penalty of perjury that the foregoing is true and correct.

Respectfully submitted,

FREE LIFE MINISTRIES, INC.



Terry Johnson
Chairman

October 11, 2012

EXHIBIT 1



QUOTE

Bob Cauthen
bobc@scmsinc.com
800-438-6040
704-889-4508

001Q1858

Oct 10, 2012

Sold To

WHFL TV
BOX 282
GOLDSBORO, NC 27533

Ship To

WHFL TV
BOX 282
GOLDSBORO, NC 27533

Corporate Office

Remit to:

SCMS Inc.
10201 Rodney Blvd.
Pineville, NC 28134

TERRY JOHNSON
919-736-7729
whfltvterry@bellsouth.net

TERRY JOHNSON
919-736-7729
whfltvterry@bellsouth.net

1-800-438-6040
ph. 704-889-4508
fax 704-889-4540
sales@scmsinc.com

Sales Rep

Cust. PO

Ship Via

Terms

Bob Cauthen

Ground

See Below

Line	Qty	Manufacturer	Part #	Description	List Price	Unit Price	Ext. Price
1	2	DaySequerra	NLC5.1ST	5.1 Surround + 2.0 Loudness Control • Simultaneous loudness control for 5.1 surround and auxiliary stereo AES channels on 75-ohm BNC • Proprietary DTS NLC algorithm with look-ahead technology maintains desired loudness level without a "squashed" or compressed sound • Industry-standard ITU-R BS.1770 loudness measurement for compliance monitoring • Easy-to-read numerical Measured and Target readouts on vacuum fluorescent display; bargraph LED audio level meters • Ethernet Interface/Remote Dashboard for compliance logging and built-in histograms	\$6,000.00	\$5,520.00	\$11,040.00
2	2	DaySequerra	LC - HD/SDI	3G HD/SDI Input Option for iLC2 or NLC5.1ST • Optional HD-SDI input for 8 de-embedded audio channels from SDI group 1 or 2	\$1,500.00	\$1,380.00	\$2,760.00
3	2	DaySequerra	ILM8	IMPROVED 5.1 Surround Loudness Meter • Simultaneous loudness measurement for 5.1 surround and auxiliary stereo AES inputs on 75-ohm BNC • Industry-standard ITU-R BS.1770/1-2, ATSC A/85, EBU R128 and ARIB TR-B32 Japan algorithms • NEW Auto Infinite Average is perfect for Ingest • NEW User Defined HomeScreens • Easy-to-read numerical Measured and Target readouts on vacuum fluorescent display; bargraph LED audio level meters • Ethernet interface for compliance logging and built-in histograms with iLM8 Remote Dashboard software	\$4,500.00	\$4,140.00	\$8,280.00
4	2	DaySequerra	iLM8-2D	NEW Option for iLM8 • Optional second DSP measures full 5.1 mix	\$1,000.00	\$920.00	\$1,840.00

TERMS & CONDITIONS: Quote is valid for 30 days with the exception of price increases from the manufacturer. All prices are FOB Origin. Taxes, e-procurement fees, and freight are not included. Any freight charges shown are estimates only and customer will be billed for actual charges. Package Sale Price is for payment within terms only, otherwise list price shown will be due. 25% down, 50% before delivery, balance Net 30 Day terms and subject to credit approval. Partial invoicing for partial shipments will be allowed. All items remain the property of SCMS until paid for in full with all legal expenses required for collection paid by purchaser. Any stated deliveries are subject to SCMS stock availability and/or manufacturer's stock and production schedules at time of order. All used equipment is on a "first come first serve" basis. All non-defective returned products and cancellations are subject to a 20% restocking fee. All credit card purchases are subject to a surcharge. Only manufacturer warranties are applicable.

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BROADCAST EQUIPMENT SOLUTIONS

Line	Qty	Manufacturer	Part #	Description	List Price	Unit Price	Ext. Price
5	2	DaySequerra	LC - HD/SDI	with isolated center to ensure announcer isn't buried by 4.0 surround mix 3G HD/SDI Input Option for iLC2 or NLC5.1ST • Optional HD-SDI input for 8 de-embedded audio channels from SDI group 1 or 2	\$1,500.00	\$1,380.00	\$2,760.00

SUBTOTAL \$26,680.00

TAX \$0.00

SHIPPING \$0.00

TOTAL \$26,680.00

Accepted by	Signature	Date
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TERMS & CONDITIONS: Quote is valid for 30 days with the exception of price increases from the manufacturer. All prices are FOB Origin. Taxes, e-procurement fees, and freight are not included. Any freight charges shown are estimates only and customer will be billed for actual charges. Package Sale Price is for payment within terms only, otherwise list price shown will be due. 25% down, 50% before delivery, balance Net 30 Day terms and subject to credit approval. Partial invoicing for partial shipments will be allowed. All items remain the property of SCMS until paid for in full with all legal expenses required for collection paid by purchaser. Any stated deliveries are subject to SCMS stock availability and/or manufacturer's stock and production schedules at time of order. All used equipment is on a "first come first serve" basis. All non-defective returned products and cancellations are subject to a 20% restocking fee. All credit card purchases are subject to a surcharge. Only manufacturer warranties are applicable.

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